IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

1. CIVIL MISC. APPEAL No. 1804 of 2004

MANI RAM
V/S
CHAIRMAN AJMER V V N LTD & ORS

2. CIVIL MISC. APPEAL No. 1744 of 2004

SHIVNARAIN
V/S
CHAIRMAN AJMER V V N LTD & ORS

Mr. DINESH JOSHI, for the appellant / petitioner

Mr. KULDEEP MATHUR, for the respondent

Date of Order : 26.4.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

The two matters come up for consideration of stay application. However, both the learned counsel agree that since by the impugned order, appellant's application for restoration of suit and temporary injunction application has been dismissed, both the appeals may be decided on merits, and suit & temporary injunction application may be ordered to be restored. However, some reasonable cost may be awarded to the defendants.

Accordingly, both the appeals are allowed. The impugned orders are set aside. The suit and the temporary injunction applications are ordered to be restored subject to payment of one consolidated cost of Rs. 2,000/-, to be paid by the appellants to the respondents within a period of one month from today.

(N P GUPTA),J.

/Srawat/